

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE**

**MINUTES
MEETING OF AUGUST 12, 2004**

At 5:12 p.m. Chairman Lee Panza called the meeting to order in the Fourth Floor Dining Room at the San Mateo Transit District Office.

Members Attending: Chairman Lee Panza, Vice-Chair Sue Lempert, Deborah Gordon, Marc Hershman, and Deborah Wilder.

Staff/ Guests Attending: Richard Napier (C/CAG Executive Director), Brian Moura (City of San Carlos), Mary McMillan (County Legislative Director), Rosalie O'Mahony (C/CAG Member – Burlingame), Geraldine O'Connor (Assemblyman Gene Mullin's Office), David Burruto (Speaker pro Tem Leland Yee's Office), Walter Martone (C/CAG Staff).

1. Public comment on items not on the agenda.

Mary McMillan reported on the status of AB 269 to enable jurisdictions to share redevelopment funds to support affordable housing in transit corridors.

- The bill is currently on the Senate Floor and is moving quickly.
- Any support by the individual cities in San Mateo County would greatly help get this bill passed.
- The bill is the product of a great deal of compromise with the housing advocates. In its current form, it includes about one-half of what it was originally intended to accomplish. However it still contains sufficient benefits to make it important to have enacted.
- Mary also reported that SB 792 that would require the Department of Transportation to sell and transfer certain property under its control in the County of San Mateo as surplus state property to the Department of Parks and Recreation for state park purposes, has been moved off the Suspense File and is once again moving. This bill was part of the deal that was crafted to advance the construction of the Devil's Slide tunnels.

2. Minutes of the Meeting of June 10, 2004.

The motion under item 6. was corrected to state SB 1815 instead of AB 2107.

*Motion: To approve the minutes of June 10, 2004 as amended.
Gordon/Hershman, unanimous.*

3. Update from C/CAG's Lobbyist in Sacramento (via conference call).

- AB 2702, the Steinberg bill to restrict local jurisdiction discretion over the approval or disapproval of 2nd units has failed in Committee; however it will likely be reconsidered and needs to be watched carefully. C/CAG has already taken an “oppose” position on AB 2702.
- SB 744, the Dunn bill to establish a State Board having the authority to overrule local government land use decisions, has been amended into SB 1609. C/CAG has already taken an “oppose” position on SB 744.
- ACA 10, the Harman bill to allow an exemption under Proposition 213 for stormwater pollution prevention programs, is still on the inactive file. Assemblyman Harman does not believe that he has enough votes to move the bill; however he has indicated his willingness to try this bill again next year.
- The Legislature is going into recess on August 31, 2004. Bills received in the Governor’s Office by August 20th will be acted upon within 12 days. Bills received on August 21st or later may not be acted upon until September 30th.
- AB 1546, C/CAG’s bill to increase the Vehicle Registration Fee to support transportation and NPDES programs, will hopefully be acted upon sometime next week by the Full Senate. It is currently item # 244 of 250 bills on the Senate Floor calendar. AB 1546 is just about the only fee bill that is still alive in the Legislature.
- It is anticipated that the Legislature will be spending a great deal of time over the next few days, on retirement resolutions for those legislators leaving due to term limits.
- Hearings on the recently released California Performance Review will begin next week. Included in this report is a recommendation to turn over a number of Caltrans’ owned roads to local jurisdictions, without providing any funding for their maintenance. This could impact El Camino Real in San Mateo County
- The next few weeks will likely see lots of gut and amend bills.
- One rumor in Sacramento is that the State wants to certify local General Plans as a condition to releasing road funds to local jurisdictions.
- The Governor has indicated that the defeat of Propositions 68 and 70 will be a priority for him. These are the two tribal gaming initiatives on the November ballot. The League and others are becoming concerned that if the Governor has too many priority items for the November election, he will not spend sufficient time and effort to ensure that Proposition 1A, the local government revenue protection constitution amendment, passes.

4. Consideration of a position on Proposition 1A (constitutional amendment protecting local government revenues).

This proposition is the result of the agreement reached between the Governor, the Legislature, and local governments, to ensure constitutional protection for local government revenues. In return for the Governor’s support of this proposition, the League and CSAC have agreed to drop their campaign for Proposition 65, which they qualified for the November ballot through a signature gathering drive.

Motion: To recommend that C/CAG fervently “support” Proposition 1A and communicate this recommendation to each local jurisdiction in San Mateo County. It is also recommended that C/CAG and our local jurisdictions take a “support” position on Proposition 65 as a backup position in the event that Proposition 1A is not approved. Lempert/Wilder/Hershman, unanimous.

5. Consideration of a position on Propositions 68 and 70 (Indian and non-tribal gaming and gambling expansion).

One of the deals that occurred during the State budget negotiations was to suspend for budget year 2004-05, Proposition 42. This Proposition requires the use of fuel sales tax proceeds for transportation projects instead of State General Fund expenses. The Governor and the Legislature have approved agreements with five Indian Gaming Tribes to finance a \$1.214 billion bond to be used to repay some of these Proposition 42 funds and to support other transportation projects. The specific benefit to local jurisdictions is an allocation of \$192 million for local streets and roads projects. This bond will only be issued if Propositions 68 and 70 are defeated in the November 2004 election. This could mean the loss of over \$10 million to the local jurisdictions in San Mateo County.

Motion: To recommend that C/CAG fervently “oppose” Propositions 68 and 70 and communicate this recommendation to each local jurisdiction in San Mateo County urging them to join C/CAG in this opposition. Lempert/Wilder, unanimous.

6. Establish date and time for next meeting (September 9, 2004).

The next meeting was set for September 9, 2004 at 5:00 p.m. at the Fourth Floor Dining Room at the San Mateo County Transit District Office.

7. Adjournment.

The meeting was adjourned at 6:11 p.m.